

PLANNING COMMISSION

HANDOUTS

AUGUST 25, 2015

Late Back-Up

Planning Commission Hearing Date

August 25, 2015

Agenda Items:

C1 ---NPA-2015-0017.01 – Korean Church

C3 ---NPA-2015-0016.01 – Shady Lane

C5 ---NPA-2015-0029.01 – Sunrise Pharmacy

C6 ---C14-2015-0050 – Sunrise Pharmacy

RECEIVED
8/24/15

ATTN: City of Austin

RE: 500 Shady Lane

Future Land Use Map Amendment: NPA-2015-0016.01

Zoning Case No.: C14-2015-0043

I am a business and property owner at 403 Springdale Rd in East Austin and have worked in the East Austin community for over 30 years. I have attended the Govalle/Johnston Terrace Neighborhood Plan meeting regarding this case. I fully understand the applicant's request for a change to the FLUM and the companion zoning change from "LI-CO-NP" to "CS-MU-V-NP" and support the applicant's request. This area is undergoing change and the transition from the industrial uses allowed under "LI" zoning to this more moderate and flexible down-zoned category is in my opinion a benefit to surrounding neighbors. I urge your approval. Thank you for the consideration.

Respectfully,


Rosa E. Santis

RECEIVED
8/23/15



To: Stephen Oliver – Chair
Austin Planning Commission Members

From: Larry Ouellette, facilitator
Crestview Neighborhood Plan Contact Team

Re: C14-2015-0025 and NPA-2015-0017.01

August 21, 2015

Dear Mr. Oliver and members of the Commission,

The Crestview Neighborhood Plan Contact Team would like to make the following recommendation concerning a .95 acre tract located at the corner of Hardy Lane and Cullen Avenue, currently zoned SF-3 and designated for "Civic" use on Austin's Future Land Use Map:

The Contact Team recommends that the tract be rezoned MF-1 "or more restrictive zoning" with conditional overlays limiting building height to two stories and requiring that parking be provided at 100 percent. The Contact Team recommends that the FLUM designation be changed to "multifamily" if rezoned to MF-1 and "higher density single family" if rezoned to SF-4, SF-5 or SF-6.

The vote to approve the recommendation was 56 in favor and 7 opposed. The specific language of the motion approved by the contact team can be found here, and supplants an earlier recommendation that the site and neighboring parcels be re-designated SF-4.

Our recommendation is made in response to developer David Kahn's application to the change the zoning of the lot in question to MF-3 and fulfills our responsibility to provide to the Planning Commission and the City Council the considered opinion of the neighborhood regarding this matter.

We have come to this recommendation at the end of a process that began with a public meeting at which Mr. Kahn's presented his proposal and responded to numerous questions and concerns, two meetings with the developer in what we feel was a sincere effort on all sides to find common ground, numerous informal conversations and a vigorous social media dialog on the merits of the various options available, and at the conclusion of a vigorous and constructive public meeting during which residents were afforded an opportunity to fully engage in a conversation about the site and larger questions about the future of our neighborhood.

During the public meeting that concluded with overwhelming support for the recommendation above, three distinct options were explored. In addition to the MF-1 with conditional overlays approved, residents and property owners explored the MF-3 option contained in Mr. Kahn's application and a modified proposal submitted in writing by Mr. Kahn through the office of his representative, Ronald

Thrower. The modified proposal was delivered by courier to CNPCT Facilitator Larry Ouellette the afternoon of our scheduled public meeting and subsequently distributed to team members at the beginning of the meeting (the full text of this proposal may be found here).

In making this recommendation residents sought to encourage the development of this site, currently occupied by a church parking lot and one of three separately zoned parcels under the control of Mr. Kahn, in a manner consistent with the neighborhood, reflective of the City's zoning and land use goals, and responsive to the vision of the Crestview Neighborhood Plan.

Several critical concerns were underlined in our exploration of this zoning amendment application.

1. The site is located on an interior street of a residential neighborhood overwhelmingly dominated by single story, single family residences. While much of the surrounding property is nominally zoned MF-3, those zoning designations are an historical artifact of the establishment of zoning and have never reflected the actual use of the properties. City code requires that it is the use, and not the zoning designation, that must govern development, and all of the properties surrounding the site fall well below the density standard set by MF-3, and indeed match the lower density limit to found in our "MF-1 or more restrictive" recommendation.
2. MF-3 is not a zoning designation approved for use as a transitional zone between higher density commercial and lower density residential areas –which is precisely what this application seeks to do.
3. The streets adjacent to and leading to this site are under developed and already overburdened with traffic. There have been no studies determining the impact intense development at this site in conjunction with the larger site that this site is a part of and which the developer intends to develop with additional residential and commercial projects of as yet unknown scope.
4. There are no 3- story buildings anywhere close to this site, and the lone two-story structure –a residential townhouse development to the north across Cullen Avenue, is set back and well screened from the street. Indeed, the closes visual counterpoint to this site is to the west of Hardy, a street lined with classic, low slung, mid century modern ranch bungalows that begins a nearly unbroken neighborhood pattern of single story residences that stretch all the way to Lamar. To face off against this neighborhood with a 3-story apartment wall would be an urban planning insult.

Crestview residents welcome development and we are aware that the neighborhood is and will continue to evolve. Indeed, there is development underway on several lots in close proximity to this site that fully embrace the goals and vision of the unique and treasured urban experience that Crestview has become.

We encourage the Planning Commission and the City Council to join us in preserving this vision.



Larry Ouellette, Facilitator
Crestview Neighborhood Planning Contact Team
larrycrestview@yahoo.com
cnpct.org

Cc: City Councilor Leslie Poole
Mayor Steve Adler

August 24th, 2015

RECEIVED
8/25/15

NPA-2015-0029.01

Re: Rezoning Request Case Number: C14-2015-0050 (7104, 7106 & 7108 Bennett Avenue Austin, Texas 78752)

To whom it may concern,

This letter is in support of the attached petition against the rezoning of the properties at 7104, 7106 and 7108 Bennett Avenue. The community members who live immediately next to these properties are against the rezoning request because doing so would go against the St. John's Future Land Use Map and previously adopted neighbor plans and goals of preventing crime, protecting the potential landmarks and historical district of the neighborhood, maintaining the character of the neighborhood, and safeguarding the current residential boundary. Rezoning the properties would set a undesirable precedent and allow for commercial properties within in the neighborhood that could sell pharmaceuticals/alcohol/tobacco while also dangerously increasing traffic on a neighborhood street.

Although some members of the St. John's neighborhood planning committee have expressed support for the rezoning of 7104, 7106 and 7108 Bennett Avenue, the community members, renters and owners, who live directly next to the site strongly disagree with their recommendation. Similar adjacent lots are residential and there is a commitment to maintaining the integrity, history, and character of the neighborhood on Bennett Avenue. If a commercial property existed on these lots, these positive changes and any future goals would not be sustained. Further, the overall neighborhood plan of preventing crime would be given another road-block due to the possibility of selling pharmaceuticals/alcohol/tobacco on any commercial property on these lots.

In conclusion, the members of the St. John's community who live directly next to proposed rezoning properties of 7104, 7106 and 7108 Bennett Avenue request that such rezoning be denied because it would go against St. John's Future Land Use Map and adopted neighborhood plan; similar adjacent lots are single family residential and not commercial; changing it would create an undesirable precedent; a commercial lot would unreasonably burden a neighborhood street with traffic and change the residential boundary; and changing it would negatively impact the character of the neighborhood.

Sincerely,

Petition signed July 7th, 2015

PLANNING COMMISSION

August 11, 2015 & August 25, 2015

AGENDA ITEMS 1 & 2

NPA-2015-0017.01 – Korean United Presbyterian Church FLUM

From: CIVIC

To: MULTIFAMILY

C14-2015-0025 – Korean United Presbyterian Church REZONING

From: SF-3-NP

To: MF-3-NP

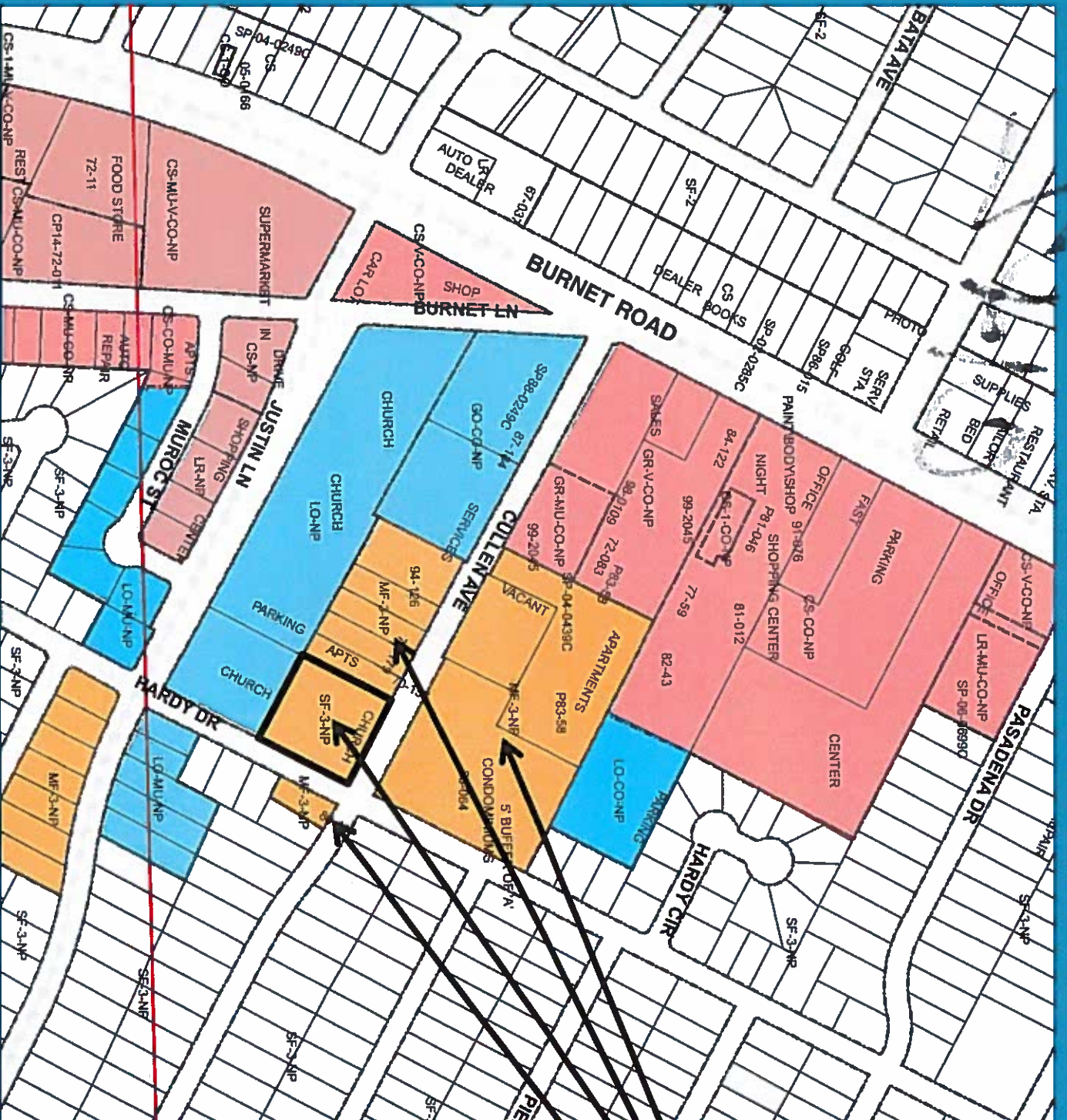
PROPERTY SIZE – 0.948 ACRES

EXISTING MATHEMATICAL YIELD UNDER “SF-3” = 10 DUPLEX UNITS

REQUESTED YIELD = 24 UNITS

C142

SF-3 SINGLE FAMILY



Applicant Request

FLUM - Change to Multifamily ✓

District - MF-3

Conditions –

- 1) 24 Units
- 2) 100% of parking onsite – no reductions ✓
- 3) Participation in sidewalk Partnering Program
- 4) Increased landscape buffering

Crestview Contact Team Position

FLUM - Change to Multifamily ✓

District - MF-1

Conditions –

- 1) Limit to 2-story
- 2) 100% of parking onsite – no reductions ✓

Crestview Contact Team

Applicant

Zoning

MF-1

MF-3

Density

16 Efficiency Units

35 Efficiency Units
(Applicant has capped at 24 Units)

Development

16 Efficiency Units

24 Units with 1 & 2 BR

Does not promote family housing

Promotes family housing

Parking

Requires 16 Parking Sp.

Requires 42 Parking Sp.
(With equal 1 & 2 BR Units)

Promotes on street parking

Lessens on street parking

Height

2-Story (+/-30')

40'

Compatibility

40'

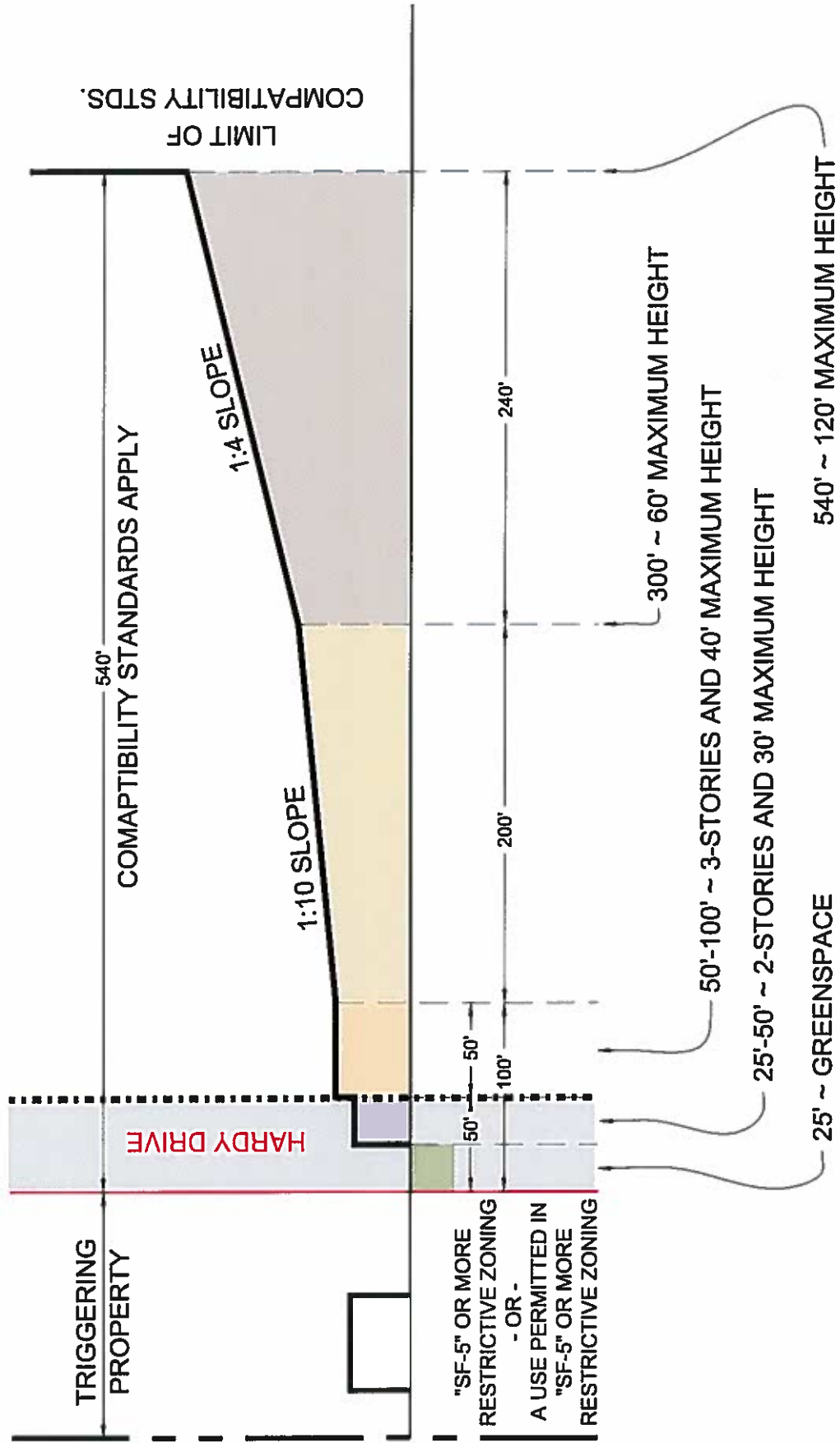
40'

Is MF-3 appropriate in this location?

Yes, given the surrounding zoning.

Is 24 units appropriate in this location?

Yes, to promote family housing options and to add 323% more parking.



COMPATIBILITY SECTION

SCALE: 1" = 50'

Link to petition:

<https://www.change.org/p/city-of-austin-texas-i-support-housing-and-the-fund-for-safety-improvements-in-crestview>

1. David will build sidewalks on the property he is redeveloping on Cullen and Hardy instead of taking the option to pay a fee into the city's sidewalk fund. This block currently lacks sidewalks and this will be a benefit to the area.
2. David will make a \$15,000 donation to help pay for additional sidewalk and traffic safety upgrades in Crestview, provided his zoning request is approved. This contribution will be matched by the neighborhood through donations of volunteer hours, money, or other services. The neighborhood will use David's contribution and the neighborhood match to make an application to the City of Austin to have a sidewalk installed on Cullen Avenue that would extend east from the redeveloped property at Cullen and Hardy. Other safety improvements could be included in the application, funding permitting. Such an application could be made through the city's Neighborhood Partnering Cost Share Program. Specific requirements for these upgrades will be written into the formal zoning request, as appropriate.
3. The redeveloped property will decrease the amount of impervious cover on the lot from its current level of more than 90 percent to an amount that is no more than 65 percent. This will benefit Crestview by decreasing the amount of storm runoff and flooding.

A group of Crestview neighbors have negotiated an agreement with David Kahn, the owner of the Korean Presbyterian Church property on the corners of Justin, Hardy and Cullen in Crestview. This agreement would allow Mr. Kahn to build a small apartment complex to provide much-needed housing in Crestview. He has also committed to making a donation for safety improvements in the area.

Currently, the northern portion of the Korean Presbyterian Church lot is a paved parking lot. This .96 acre tract is zoned for Single Family housing. David Kahn is seeking to change the zoning on part of this part of the lot to MF-3, medium density multifamily. This would allow him to build a modestly-sized, 30-35 unit, 2-3 story apartment complex. This location is across the street from a multifamily condo development and is located one block from Burnet Road, where it would be near a stop for the 803 Rapid Bus.

If David's zoning change is approved, he has agreed to make a \$15,000 contribution to Crestview to improve sidewalks and other infrastructure near the development. As part of the redevelopment, he would also construct a sidewalk along the property on Hardy and Cullen, where no sidewalk currently exists. Our neighborhood could match this contribution through donations and in-kind volunteer hours and sweat equity. This would allow us to make an application through the city's Neighborhood Partnering Program for sidewalks on Cullen Avenue near the development or for other safety improvements in the area. At public meetings

neighbors have expressed concerns about the lack of sidewalks on Cullen and other traffic concerns in the areas, and this agreement gives us the possibility to get these issues fixed.

This donation would be made prior to City Council's vote on the zoning change and would be held in a city escrow account to ensure it is used for the agreed-upon purpose.

A small apartment complex would provide more housing for people in a neighborhood we all love. David's donation and Crestview's matching sweat equity would give us the chance to create a safe path to Brentwood Park and Brentwood Elementary for residents and families who live near the property in question.

I live in Crestview and I support this agreement David has reached with our neighbors and support the zoning request to MF-3.

change.org

Recipient: City of Austin, Texas

Letter: Greetings,

I support more housing and the fund for safety improvements in Crestview!

Signatures

Name	Location	Date
Tedd Holladay	Austin, TX, United States	2015-08-13
Brennan Griffin	Austin, TX, United States	2015-08-13
Cory Brown	Austin, TX, United States	2015-08-13
Jaye Brown	Austin, TX, United States	2015-08-13
Brian Gannon	Austin, TX, United States	2015-08-13
Mary Pustejovsky	Austin, TX, United States	2015-08-13
Kevin Carlucci	Austin, TX, United States	2015-08-13
Matthew Armstrong	Austin, TX, United States	2015-08-13
Nissa Brown	Austin, TX, United States	2015-08-13
Christy Havel	Austin, TX, United States	2015-08-13
Chris Wojtewicz	Austin, TX, United States	2015-08-13
Emily Ross	Austin, TX, United States	2015-08-13
Michael Mallett	Austin, TX, United States	2015-08-13
Storms Reback	Austin, TX, United States	2015-08-13
Miriam Hill	Austin, TX, United States	2015-08-13
Evan Quenon	Austin, TX, United States	2015-08-13
Cherisse Robison	Austin, TX, United States	2015-08-13
Caroline O'Meara	Austin, TX, United States	2015-08-13
Matt Traub	Austin, TX, United States	2015-08-13
Adam Weber	Hood River, OR, United States	2015-08-14
Sarah Griesemer	Austin, TX, United States	2015-08-14
Kerry Hugins	Austin, TX, United States	2015-08-14
Rachel Cooper	Austin, TX, United States	2015-08-14
Elizabeth Miller	Austin, TX, United States	2015-08-14
Sarah Patterson	Austin, TX, United States	2015-08-14
Jennifer Fleming	Austin, TX, United States	2015-08-14
MARY ARNETT	AUSTIN, TX, United States	2015-08-14
Jenna Vega-Hussey	Austin, TX, United States	2015-08-14
Daniel Hussey	Austin, TX, United States	2015-08-14
Claire McKay	Austin, TX, United States	2015-08-14

Name	Location	Date
Concerned Citizen	New City, NY, United States	2015-08-14
Catherine Wright	Austin, TX, United States	2015-08-14
Jake Wegmann	Oakland, CA, United States	2015-08-14
Lindsay Lamb	Austin, TX, United States	2015-08-14
Courtney DeGinder	Austin, TX, United States	2015-08-15
Jessica Gorman	Austin, TX, United States	2015-08-17
William Kettler	Austin, TX, United States	2015-08-17
Lainie Armstrong	Austin, TX, United States	2015-08-17
Zach baumer	Austin, TX, United States	2015-08-18
Anne Finley	Austin, TX, United States	2015-08-18
David Campbell	Austin, TX, United States	2015-08-18
Beth Knapp	Austin, TX, United States	2015-08-18
Steven Knapp	Austin, TX, United States	2015-08-18
Jenna Stephenson	Austin, TX, United States	2015-08-18
Jason Pierce	Austin, TX, United States	2015-08-18
Henry Levine	Austin, TX, United States	2015-08-18
Ezra Kenigsberg	Austin, TX, United States	2015-08-18
Amy Flamenbaum	Austin, TX, United States	2015-08-18
Paddy Flanagan	Austin, TX, United States	2015-08-19
Carly Kettler	Austin, TX, United States	2015-08-19
Andrei Chaveston	Austin, TX, United States	2015-08-20
Jamie Levine	Austin, TX, United States	2015-08-21
James Pustejovsky	Austin, TX, United States	2015-08-24

Comments

Name	Location	Date	Comment
Cory Brown	Austin, TX	2015-08-13	I live in the Crestview Neighborhood Planning area. This is a good plan to provide real safety improvements and additional housing to the neighborhood.
Kevin Carlucci	Austin, TX	2015-08-13	I'm signing because more units means more neighbors - I love sharing my neighborhood - it's the Austin way.
Nissa Brown	Austin, TX	2015-08-13	I want to improve safety on Cullen. I also don't want an empty lot left at that corner.
Christy Havel	Austin, TX	2015-08-13	I live in the condo property across the street. I support this.
Storms Reback	Austin, TX	2015-08-13	I live within 500 feet of this project and am interested in having more sidewalks in the area so I can walk with my small children and feel safe.
Caroline O'Meara	Austin, TX	2015-08-13	I'm signing because I support both medium density at that location and sidewalk improvements.
Matt Traub	Austin, TX	2015-08-13	I live near this project on St. Johns Ave. I am in favor of the increase in density within a block of Burnet near the 803 stop, where new residents will have access to public transportation. Improved infrastructure on Cullen will improve quality of life in the neighborhood by providing easier walking access to the 803 stop and nearby businesses on Burnet. Having a vacant lot on this site for the next several years would be a detriment to the neighborhood.
Kerry Hugins	austin, TX	2015-08-14	Safety for kids and families is important.
Rachel Cooper	Austin, TX	2015-08-14	I'm signing because we need sidewalks on Cullen and a small development right where the neighborhood needs more housing!
MARY ARNETT	AUSTIN, TX	2015-08-14	We need more housing. Stop the delays and get this project moving. The developer has given a generous offer for sidewalk improvements. Please move this project forward
Claire McKay	Austin, TX	2015-08-14	this will improve my neighborhood
Jake Wegmann	Oakland, CA	2015-08-14	1) I'd rather have more neighbors than a derelict parking lot and 2) Let's be smart and make a deal with the developer and get something out of it and 3) We desperately need sidewalks in our neighborhood. Here is an actual, real-life chance to make that happen. BTW I live on Hardy Circle, no longer in Oakland, CA, despite what it might say above.
Courtney DeGinder	Austin, TX	2015-08-15	I'm signing because this is, simply, a win-win for everyone. Crestview needs sidewalks and more compact housing!
Steven Knapp	Austin, TX	2015-08-18	Funding for sidewalks along Justin towards Brentwood park? Yes please!
Jason Pierce	Austin, TX	2015-08-18	I want to see neighborhood improvements.
Henry Levine	Austin, TX	2015-08-18	Thank you Tedd for making this happen!



C2a

August 24, 2015

Historic Landmark Commission,

My name is Diane Dopson and I am a Broker with Diane Dopson Properties and Anne Manassero's Realtor. I am writing regarding the proposed project at 614 Blanco Street, Austin, TX 78703, which is directly next door to Mrs. Manassero's property at 612 Blanco Street, Austin, TX 78703. Mrs. Manassero and I met with the developer, James Schoenbaum, on two occasions. The first time (around May, 2014) he indicated to us that his plans had already been approved by the city and he was planning on breaking ground in October, 2014. The preliminary plans he showed us at this meeting were not to scale. When we asked about "wigggle room" in his plans so that he wasn't so close he said no.

Mr. Schoenbaum also told us that his architect was aware of having windows facing Mrs. Manassero's property and that they would be minimal. According to the plans on his own website not only are there many windows there is also a very large screened in porch directly facing Mrs. Manassero's property. The close proximity of the proposed buildings, the many windows and lack of any kind of tree to separate the two properties will take away any semblance of privacy that Mrs. Manassero's property currently enjoys.

We asked if Mr. Schoenbaum would move his buildings away any and he said no. He told us the same story in 2015 when we met at the site and also told Mrs. Manassero that she should just be happy that he wasn't putting up an apartment building. Mrs. Manassero has asked Mr. Schoenbaum to compromise with her and he has refused. Furthermore Mr. Schonebaum misled us at our initial meeting when he said he had already gotten his plans approved by the City of Austin when all he had was a certificate of appropriateness from the HLC.

I believe this project will greatly impact the marketability and price of Mrs. Manassero's property. Unfortunately I cannot determine an exact value until the project is built at which time it will be too late. I further believe that this project will greatly alter the character of not only Mrs. Manassero's property but that of the entire neighborhood.

Thank you for your time and consideration.

Sincerely,

Diane Dopson
Broker
Diane Dopson Properties

650

C4

ATTN: City of Austin

RE: 500 Shady Lane

Future Land Use Map Amendment: NPA-2015-0016.01

Zoning Case No.: C14-2015-0043

I am a business and property owner at 403 Springdale Rd in East Austin and have worked in the East Austin community for over 30 years. I have attended the Govalle/Johnston Terrace Neighborhood Plan meeting regarding this case. I fully understand the applicant's request for a change to the FLUM and the companion zoning change from "LI-CO-NP" to "CS-MU-V-NP" and support the applicant's request. This area is undergoing change and the transition from the industrial uses allowed under "LI" zoning to this more moderate and flexible down-zoned category is in my opinion a benefit to surrounding neighbors. I urge your approval. Thank you for the consideration.

Respectfully,


Rosa E. Santis



Chaffin, Heather

From: Buys, Ron
Sent: Monday, August 24, 2015 5:16 PM
To: Chaffin, Heather
Subject: Resoning Case -500 Shady Lane
Attachments: AFDhazmat1000ft.pdf

C4
1

Follow Up Flag: Follow up
Flag Status: Flagged

The following is per your request for assistance regarding the rezoning case at 500 Shady Lane. I have attached a file showing the chemical inventories for the 15 locations that currently hold AFD hazardous materials permits, and are located within 1000 feet of 500 Shady Lane.

The location directly next door and addressed as 5005 E. 7th St is Allied Sales Co. They are shown in our files as having a permit with AFD since 1988 and describe their primary business as "Wholesale Oil" on their last permit application. They have motor oil at this location, but it is not a reportable hazardous material according to the Fire Code as motor oil is a Class IIIA Combustible Liquid with an NFPA hazard rating less than 2 (the hazard level required for reporting to AFD). As you can see from their hazmat inventory there are other automobile related chemicals in their inventory that are reportable. The 3062 cubic feet of propane listed must be primarily for forklift fuel tanks used in their warehouse operations, as there is no bulk propane tank permitted at their site.

Hope this information is helpful. Let me know if you need additional information.

Ron Buys, P.E.
Austin Fire Department
Prevention & Preparedness Services Division ; Engineering Services Section
One Texas Center, Ste. 200 ; 505 Barton Springs Road, Austin, Texas 78704
(512)974-0183





AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
2

August 13, 2015

Permit Number: 3002991

V.P. SALES AND OP
ALLIED SALES CO.
5005 E. 7th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Anti-freeze	4870 Gallons
Brake Cleaner	21 Gallons
Carburetor Cleaner	332 Gallons
Freon R12	9700 Cubic Feet
Fuel Injection Cleaner	91 Gallons
Lead Alternate	31 Gallons
Octane Boost	113 Gallons
Safety Solvent	1420 Gallons
Propane	3062 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
3

August 13, 2015

Permit Number: 3060501

MANAGER
VINTAGE MATERIAL SUPPLY
730 Shady Ln.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Propane- Forklift Tanks	2100 Cubic Feet
Acetylene	140 Cubic Feet
Oxygen	140 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
4

August 13, 2015

Permit Number: 3001458

Maintenance Supervisor
HULL SUPPLY CO. INC.
5117 E. Cesar Chavez St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Bondo	4 Gallons
Laquer Paint	3 Gallons
Laquer Thinner	15 Gallons
Acetylene	140 Cubic Feet
Oxygen	250 Cubic Feet



**AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING**

One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

August 13, 2015

Permit Number: 3110593

**PRESIDENT
ON THE ROAD SALVAGE**
4826 E. Cesar Chavez St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Oxygen	251 Cubic Feet
Propane	43 Cubic Feet

C4
5



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
6

August 13, 2015

Permit Number: 5210712

OWNER

EARL SCHEIB OF TEXAS #413
5005 E. Cesar Chavez St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Acetylene	75 Cubic Feet
Oxygen	125 Cubic Feet
Paint (flammable)	217 Gallons



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
7

August 13, 2015

Permit Number: 3037863

PRESIDENT
CARL PATTON EQUIPMENT SERVICES, INC
4901 E. Cesar Chavez St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Fee Balance Due

Hazardous Materials Inventory List

Material List	Amount
Oxygen	140 Cubic Feet
Acetylene	75 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
/8

August 13, 2015

Permit Number: 3004831

BRANCH MANAGER
PRECISION OXYGEN CO.
4927 E. 5th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Carbon Dioxide	13000 Cubic Feet
Nitrogen Refrigerated Liquid	3000 Gallons
Acetylene	6000 Cubic Feet
Nitrous Oxide	10000 Cubic Feet
Oxygen	197502 Cubic Feet
Propane	8700 Cubic Feet
Propylene	4350 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

CY
9

August 13, 2015

Permit Number: 5241105

PRODUCT MGR./ OPERATIONS MGR.
MIGHTY AUTO PARTS
5001 E. 5th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Corrosive Liquids/cleaners	1100 Gallons
Flammable Liquids 3	250 Gallons
Cleaners	1100 Gallons
On Forklift	437 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
10

August 13, 2015

Permit Number: 5610414

PRESIDENT
DELTA LUMBER AND MILLWORKS
4701 E. 5th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Propane	4375 Cubic Feet



AUSTIN FIRE DEPARTMENT
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CY
PI

August 13, 2015

Permit Number: 5420602

PRESIDENT
CAPITOL VENDING AND COFFEE
4711 E. 5th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Phosphonic Acid	55 Gallons
Propane	550 Cubic Feet



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C4
12

August 13, 2015

Permit Number: 3018411

VP/OPERATIONS
AUSTIN FLEET MAINTENANCE, INC.
4812 E. 7th St. A
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Acetylene	110 Cubic Feet
Acetylene	110 Cubic Feet
Oxygen	140 Cubic Feet
Oxygen	140 Cubic Feet



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EMERGENCY PREVENTION DIVISION
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C4
13

August 13, 2015

Permit Number: 3017508

OFFICE MANAGER
LONGHORN INTERNATIONAL TRUCKS, LTC
4711 E. 7th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Antifreeze	324 Gallons
Battery Acid (electro Lite)	98 Gallons
Brake Fluid	24 Gallons
Enamel Paint	10 Gallons
Enamel Paint	5 Gallons
Enamel Thinner	4 Gallons
Freon	1072 Cubic Feet
Laquer Thinner	55 Gallons
Penetrating Oil	5 Gallons
Safety-kleen	100 Gallons
Spray Enamel Paint	6 Gallons
Starting Fluid	6 Gallons
Acetylene	1015 Cubic Feet
Oxygen	1004 Cubic Feet



**AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING**

One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
14

August 13, 2015

Permit Number: 3007321

MANAGER
ECONOMY SUPPLY COMPANY
4708 E. 7th St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Lubricants	4 Gallons
Pvc Cements	22 Gallons
Sulfuric Acid (93%)	9 Gallons
Propane	326 Cubic Feet



AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING
One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
TS

August 13, 2015
Permit Number: 5410808

OWNER
IVAN'S COMPANY
5001 Gonzales St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - FIRST NOTICE

Hazardous Materials Inventory List

Material List	Amount
Carpet Pad Cement	25 Gallons
Propane	437 Cubic Feet



**AUSTIN FIRE DEPARTMENT
EMERGENCY PREVENTION DIVISION
ABOVEGROUND HAZARDOUS MATERIALS PERMITTING**

One Texas Center, Suite 200 - 505 Barton Springs Rd. - Austin, Tx. 78704
Phone: (512) 974-0182 Fax: (512) 974-0162

C4
16

August 13, 2015

Permit Number: 3012161

VICE PRESIDENT
GEORGE COX AUTOMOTIVE, INC.
5225 E. Cesar Chavez St.
Austin, Tx. 78702

RE: Aboveground Hazardous Materials Permit Renewal - **FIRST NOTICE**

Hazardous Materials Inventory List

Material List	Amount
Batteries	10 Gallons
Propane	874 Cubic Feet
Acetylene	150 Cubic Feet
Oxygen	250 Cubic Feet

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



PROJECT NAME: Shady Lane Mixed Use

ADDRESS/LOCATION: 500 Shady Lane

CASE #: C14-2015-0043

C4

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 252 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.124 Middle School: 0.035 High School: 0.071

IMPACT ON SCHOOLS

The district-wide student yield factor (across all grade levels) is 0.23 per apartment. Using this district-wide average, the 252 multifamily development is projected to add approximately 58 students across all grade levels to the projected student population. However, because the development is proposing 76% one bedroom apartments, the number of students from this development is likely to be lower than the projected district-wide average of 58. It is estimated that of the 58 students, 31 will be assigned to Brooke Elementary School, 9 to Martin Middle School, and 18 at Eastside Memorial High School.

The percent of permanent capacity by enrollment for SY 2019-20, including the additional students projected with this development, would be within the target range of 75-115% for Brooke ES (83%), assuming the mobility rates remain the same. The projected additional students at Martin MS and Eastside Memorial HS would help to offset the anticipated decline in student enrollment (due to demographic shifts in the area). This would result in a percent of permanent of permanent capacity by enrollment of 57% at Martin MS and 43% at Eastside Memorial HS for SY2019-20, assuming the mobility rates remain the same. All of these schools will be able to accommodate the projected additional student population from the proposed development.

TRANSPORTATION IMPACT

Brooke ES and Eastside Memorial HS are located within 2 miles of the proposed development; therefore students would not qualify for transportation unless a hazardous route condition was identified. Students within the proposed development attending Martin MS qualify for transportation due to the distance from the development to the schools. Depending on the number of students, an additional bus may be necessary.

SAFETY IMPACT

An improved sidewalk along Shady Lane to 5th Street is recommended to increase the safety of student walkers.

Date Prepared: 08/21/2015

Director's Signature: _____

Paul Turner

17



18

19



20

21



22

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



C4
2

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Brooke

RATING: Met Standard

ADDRESS: 3100 East 4th St.

PERMANENT CAPACITY: 393

% QUALIFIED FOR FREE/REDUCED LUNCH: 91.38%

MOBILITY RATE: -1.1%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	351	299	330
% of Permanent Capacity	89%	76%	84%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	347	296	327
% of Permanent Capacity	88%	75%	83%

MIDDLE SCHOOL: Martin

RATING: Improvement Required

ADDRESS: 1601 Haskell

PERMANENT CAPACITY: 804

% QUALIFIED FOR FREE/REDUCED LUNCH: 93.72%

MOBILITY RATE: -49.0%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,076	877	886
% of Permanent Capacity	134%	109%	110%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	549	447	456
% of Permanent Capacity	68%	56%	57%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



C4
13

HIGH SCHOOL: Eastside Memorial

RATING: Improvement Required

ADDRESS: 1012 Arthur Stiles

PERMANENT CAPACITY: 1,156

% QUALIFIED FOR FREE/REDUCED LUNCH: 88.01%

MOBILITY RATE: -41.5%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,088	810	828
% of Permanent Capacity	94%	70%	72%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	636	473	491
% of Permanent Capacity	55%	41%	43%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.

August 24th, 2015

C6

Re: Rezoning Request Case Number: C14-2015-0050 (7104, 7106 & 7108 Bennett Avenue Austin, Texas 78752)

To whom it may concern,

This letter is in support of the attached petition against the rezoning of the properties at 7104, 7106 and 7108 Bennett Avenue. The community members who live immediately next to these properties are against the rezoning request because doing so would go against the St. John's Future Land Use Map and previously adopted neighbor plans and goals of preventing crime, protecting the potential landmarks and historical district of the neighborhood, maintaining the character of the neighborhood, and safeguarding the current residential boundary. Rezoning the properties would set a undesirable precedent and allow for commercial properties within in the neighborhood that could sell pharmaceuticals/alcohol/tobacco while also dangerously increasing traffic on a neighborhood street.

Although some members of the St. John's neighborhood planning committee have expressed support for the rezoning of 7104, 7106 and 7108 Bennett Avenue, the community members, renters and owners, who live directly next to the site strongly disagree with their recommendation. Similar adjacent lots are residential and there is a commitment to maintaining the integrity, history, and character of the neighborhood on Bennett Avenue. If a commercial property existed on these lots, these positive changes and any future goals would not be sustained. Further, the overall neighborhood plan of preventing crime would be given another road-block due to the possibility of selling pharmaceuticals/alcohol/tobacco on any commercial property on these lots.

In conclusion, the members of the St. John's community who live directly next to proposed rezoning properties of 7104, 7106 and 7108 Bennett Avenue request that such rezoning be denied because it would go against St. John's Future Land Use Map and adopted neighborhood plan; similar adjacent lots are single family residential and not commercial; changing it would create an undesirable precedent; a commercial lot would unreasonably burden a neighborhood street with traffic and change the residential boundary; and changing it would negatively impact the character of the neighborhood.

Sincerely,

Petition signed July 7th, 2015

Anguiano, Dora

From: Chaffin, Heather
Sent: Tuesday, August 25, 2015 3:26 PM
To: Anguiano, Dora; Sirwaitis, Sherri
Subject: FW: Late Request for Postponement - Marlo Heights Rezoning - Item 9 (C14-2015-0001)

C9

Postponement by applicant to Sept 8 ☺

From: Meade, Nikelle [REDACTED]
Sent: Tuesday, August 25, 2015 2:35 PM
To: 'Stephen Oliver'; Fayezi Kazi [REDACTED]
Cc: Chaffin, Heather; Matthew Brown ([REDACTED]) 'Mike Prewitt' ([REDACTED])
Subject: Late Request for Postponement - Marlo Heights Rezoning - Item 9 (C14-2015-0001)

Chair Oliver and Vice Chair Kazi,

On behalf of the applicant, by this email I am requesting a postponement of this case to the September 8th meeting.

Over the past several weeks, we and all of the neighbors who filed the petition against the rezoning have been working together to try to come to a compromise that addresses their concerns and allows the development to move forward. We have all been working right down to the wire and believe we are very close to an agreement. We have delivered a term sheet for their consideration, which they have begun reviewing. We are now awaiting their final review and approval of it.

Neighbor Tyson Brown has been working closely with us throughout the process to coordinate our meetings and discussions. This morning, he indicated that he may not be able to get sign-off on the term sheet from all of his neighbors in time for tonight's meeting so he would prefer that the item be postponed two weeks. **We concur so are requesting this postponement.** Mr. Brown is copied on this email.

Please let me know if you have any questions. We appreciate the time the Commission has given in this case and we do not anticipate requesting any further postponements.

Nikelle Meade
Partner

HUSCH BLACKWELL LLP
111 Congress Avenue, Suite 1400
Austin, TX 78701-4093
Direct: 512.479.1147
Fax: 512.226.7373

huschblackwell.com
[View Bio](#) | [View VCard](#)

Named a first-tier national real estate law firm by U.S. News-Best Lawyers in 2015.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

For additional information on the City of Austin's land development process, visit our web site: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C8-2015-0090.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308
Public Hearing: Planning Commission, August 25, 2015

Robert Levin
Your Name (please print)

4009 Sincere Ave.
Your address(es) affected by this application

Robert Levin
Signature

Date

Daytime Telephone: 817-528-7836

Comments: Looking forward to starting
our new home

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:
City of Austin - Development Services/4th Fl
Don Perryman
P. O. Box 1088
Austin, TX 78767-8810

C13

PUBLIC HEARING INFORMATION

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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C8-2015-0090-0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308
Public Hearing: Planning Commission, August 25, 2015

Olga Levin
Your Name (please print)

☒ I am in favor
☐ I object

4011 Sinclair Ave.
Your address(es) affected by this application

[Signature]
Signature

8/15/2015
Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:
City of Austin – Development Services/4th Fl

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: C8-2015-0090.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308
Public Hearing: Planning Commission, August 25, 2015

Monica Harman + Larry Halford
Your Name (please print)

☐ I am in favor
☒ I object

4111 Sinclair Ave Austin 78756
Your address(es) affected by this application

Monica Harman
Signature

Date

Daytime Telephone: 512-750-4811

Comments: This is A Blatant Attempt To
Go Around the Mc Mansion Ordinance
The ordinance was put in to
make sure the character of
the neighborhood wasn't altered
By Putting in Houses out of
Character - scale with the
Neighborhood - Please Do Not
Approve this

If you use this form to comment, it may be returned to:
City of Austin - Development Services/4th Fl

Don Perryman
P. O. Box 1088
Austin, TX 78767-8810

Perryman, Don

From: Ernest McKenney <~~ernestmckenney~~@austin.rr.com>
Sent: Monday, August 24, 2015 10:09 AM
To: Perryman, Don
Subject: Case # C8-2015-0090.0A-Protest

Don,

I have been a resident of the Rosedale neighborhood for over 30 years. I live at 4011 Rosedale Ave. and I protest the Resub of lots 6 & 7 and a portion of lot 5 Blk 4. I have heard of other stories of how folks want to build big and they will live there for their lifetime only to move a few years later. A lot that size is very uncommon in our area and the new lot size will allow the construction of a house of a size not in keeping with the neighborhood. This will only encourage more buy and scrape and a further loss of the character of the neighborhood. Thank you for your time.

Ernest McKenney
4011 Rosedale Ave
Austin, TX 78756

~~ernestmckenney~~@austin.rr.com

Ernest McKenney

~~ernestmckenney~~@austin.rr.com



D20

TO: Mayor and City Council and Planning Commission

FROM: Gregory I. Guernsey, AICP, Director, Planning and Zoning Department *gg*

DATE: August 24, 2015

SUBJECT: 2015 Annual Report for Imagine Austin Comprehensive Plan and amendments

The link below contains the 2015 Imagine Austin Annual Report under the Recent Documents section. The Imagine Austin Annual Report provides key facts and accomplishments of the Imagine Austin Priority Program teams over the course of a year, from fall 2014 to fall 2015. While not a listing of all city activities, the annual report highlights the important initiatives that are helping make Imagine Austin a reality in our community.

2015 DRAFT Annual Report

<http://www.austintexas.gov/department/imagine-austin-download-center>

Next Steps

August 25, 2015 – Briefing, discussion and possible action at Planning Commission
September 1, 2015 – Briefing at Zoning and Platting Commission
September 10, 2015 – Set public hearing at City Council
October 1, 2015 – Conduct public hearing, discussion and possible action at City Council

Along with the 2015 Annual Report, amendments to the comprehensive plan are proposed.

CPA-2015-0001: Vision Zero amendments

Applicant: City Council

Background: Imagine Austin lays out the community's vision for Austin to become a city of "complete communities," or places where people of all ages, abilities, and incomes can safely and easily access a variety of goods and services to meet their daily needs within a short trip - walking, bicycling, taking transit, or driving. Achieving this vision requires safe streets for all people no matter how they travel.

In November 2014, Council passed Resolution Number 20141120-103, creating a Vision Zero Task Force to make recommendations to eliminate traffic related fatalities and serious injuries in Austin. Vision Zero is a proven, data-driven approach to reducing the number of fatalities and serious injuries through engineering, enforcement, and education. The Task Force, made up of several City departments, state and federal agencies, and community groups has been meeting

regularly since January 2015. The Task Force has been looking at existing safety initiatives, best practices, and mapping crash data to inform an Action Plan, which will be brought back to Council later this winter.

1. Add new policy LUT P45 (p 122): "The City commits itself to eliminating transportation-related deaths and serious injuries through a holistic Vision Zero approach. Improving safety through land use, urban design, transportation engineering, education, and enforcement is foundational to Austin becoming a city of complete communities. Safety is the top priority for the transportation system and requires a collaborative, multipronged approach using the guiding principles of Vision Zero:
 - Traffic deaths and injuries are a preventable public health issue. Any death is too many.
 - People will make mistakes; the transportation system should be designed so those mistakes aren't fatal.
 - Safety should be the primary consideration in transportation decision-making.
 - Traffic safety solutions must be addressed holistically through:
 - Education and culture change,
 - Enforcement and prosecution, and
 - Land use and transportation engineering."
2. Add new action LUT A47 (p 233): "Create an ongoing Vision Zero Task Force to develop a Vision Zero Action Plan and subsequent updates to that Action Plan"
3. Add new policy LUT P45 and new action LUT A47 to the following priority programs, and Vision Zero Action Plan to their related city initiatives:
 - a. Priority Program #1. Invest in a compact and connected Austin (p 187)
 - b. Priority Program #7. Create a Health Austin program. (p 205)

CPA-2015-0002: South Austin Combined Neighborhood Plan amendments

Applicant: City Council

Background: With ordinance 0141106-085, City Council adopted the South Austin Combined Neighborhood Plan. Adopted small area plans, neighborhood plans, and station area plans are attached to and included in the Imagine Austin Comprehensive Plan.

1. Add new Neighborhood Center to the Growth Concept Map series at the intersection of Manchaca Rd and Stassney Ln, with boundary determined by the Character District Map of the South Austin Combined Neighborhood Plan. Figure 4.2 (p 100), Figure 4.3 (p 101), Figure 4.4 (p 102), and Figure 4.5 (p 103).
2. Update Figure 4.6 Combined Future Land Use Map to include the Character District Map of the South Austin Combined Neighborhood Plan (p 124).
3. Add new Neighborhood Center to the Growth Concept Map centers key and map (p A-31).
4. Add South Austin Combined to list of Neighborhood Plans (p A-61).

CPA-2015-0003: Typographical amendments

Applicant: Planning and Zoning Department

Background: Corrections to minor typographical errors.

1. Page A-12: revise the number of working group meetings from 22 to "32".
2. Page A-29: revise the text box for Access to major roads to "(such as Lamar Blvd and Rundberg Ln)."

D1

MORATORIUM

Planning Commission
August 25, 2015



Moratorium

- Stops all permitting and development for some period of time
- Applies to commercial and residential property development.
 - Property development means
 - the construction, reconstruction, or other alteration or improvement of residential or commercial buildings; or
 - the subdivision or re-platting of a subdivision for residential or commercial property.



Justifications

- Shortage of or significant need for public facilities
 - Public facilities include water, sewer, or storm drainage facilities or street improvements.
- New commercial development will be detrimental to public health, safety, and welfare of residents because existing regulations are inadequate to prevent harm to the public.



Procedure

- Notice
 - Publish notice of a hearing in the newspaper on the 4th day before hearing.
 - A temporary moratorium begins the 5th business day after notice is published in the newspaper.
 - Authorizes municipality to stop accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property.
 - Expires if an ordinance that authorizes the moratorium is not passed within 12 days after the date of the first public hearing.



Procedure continued

- Public hearings (2)
 - Must provide an opportunity for residents and affected parties to be heard.
 - One hearing at the zoning commission, one hearing at City Council.
- Ordinance Readings
 - Must have at least 2 separate readings that are separated by at least four days.
 - Final reading must be within 12 days after the first public hearing.
 - Must include certain written findings



Moratorium Based on Public Facilities Concerns

- Expire 120 days after the date the moratorium is adopted.
- May be extended if the municipality
 - holds a public hearing on the proposed extension;
 - publishes notice in the newspaper (15 days before hearing); and
 - adopts certain written findings.



Commercial Moratoriums Based on Public Health, Safety, and Welfare Issues

- Expire 90 days after adopted.
- May be extended if the municipality
 - holds a public hearing;
 - publishes notice in the newspaper (15 days before hearing); and
 - adopts certain written findings.
- Maximum 180 days.
- Cannot adopt a new moratorium for 2 years if it addresses the same harm, affects the same type of commercial property, or affects the same geographical area identified by the previous moratorium.



Limitations

- Must allow a permit applicant to apply for a waiver if
 - there is a right to develop under a development agreement or
 - the landowner provides the public facilities at the landowner's cost.
- Request must be in writing and made to Council.
 - Council must vote on the request within 10 days from the date the request is received.



Vested Right Limitations

- Moratorium does not affect vested rights acquired under state law or common law.
- Municipality may not prohibit
 - a person from filing/processing an application for a project that is in progress; or
 - processing an application for zoning filed before the effective date of the moratorium.



Comparison: Moratorium vs. Interim Development Regulations

- Moratoriums:
 - Stop all permitting and development for some period of time.
- Interim Development Regulations:
 - Allows permitting and development to move forward but under different regulations in anticipation of new regulations.
 - Example: An overlay that address land use, parking and building setbacks is applied to properties within a Transit-Oriented Development (TOD) district prior to adoption of the station area plan and regulating plan.



